

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANDRE BOYD,

Plaintiff,

-against-

DEPARTMENT OF CORRECTIONS, *et al.*,

Defendants.

20-CV-9392 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff is detained at the Vernon C. Bain Center. By order dated November 14, 2020, the Court directed Plaintiff to either pay the \$400.00 in fees that are required to file a civil action in this court or submit a completed request to proceed *in forma pauperis* (“IFP application”) and prisoner authorization within thirty days. That order alerted Plaintiff that if he failed to comply within the time allowed, the action would be dismissed. (ECF 3.) Plaintiff has not complied with the Court’s order or initiated any further contact with the Court, written or otherwise. Accordingly, Plaintiff’s complaint, filed IFP pursuant to 28 U.S.C. § 1915(a)(1), is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf.*

Coppedge v. United States, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: January 19, 2021
New York, New York



COLLEEN McMAHON
Chief United States District Judge